



PATENT APPLICATION

[Handwritten signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67541

Noboru YAMAJI, et al.

Appln. No.: 10/009,332

Group Art Unit: 1652

Confirmation No.: 3848

Examiner: Yong D. Pak

RECEIVED

APR 28 2003

Filed: December 10, 2001

TECH CENTER 1600/2900

For: NOVEL METALLOPROTEASE HAVING AGGRECANASE ACTIVITY

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication responds to the Examiner's communication dated March 26, 2003, for which the Examiner set a one month period for response, making a response due on or before April 26, 2003. This response is timely filed.

In response to the restriction requirement, Applicants elect Group 1, claims 1-7 for examination. This election is made without traverse.

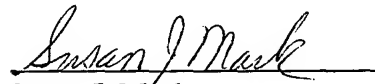
Applicants reserve the right to file a Divisional Application directed to non-elected claims 8-11.

The Examiner also required election of a specific promoter gene from SEQ ID NOS:24-31. However, none of the elected claims is specifically directed to the promoter gene. Therefore, the requirement for election is deemed moot. If, however, the Examiner disagrees, the Examiner is requested to contact the undersigned at the telephone number listed below.

Response to Restriction Requirement
U.S. Serial No. 10/009,332
Page 2

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Susan J. Mack
Registration No. 30,951

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date:

APR 25 2003